

Poll Manager's Handbook For Conduct of Elections



P.O. Box 5987
2221 Devine Street, Suite 105
Columbia, South Carolina 29205
phone: 803.734.9060 fax: 803.734.9366
www.scvotes.org

Commissioners

Karl S. Bowers, Jr.
Chairperson
John H. Hudgens III
Pamella B. Pinson
Edward K. Pritchard, Jr.
John Samuel West

Training Staff

Heather Sherman
Training Coordinator
Chris Whitmire
Public Information Officer
Garry Baum
Director
Public Information & Training

County Election Commission

Commissioners

Karl S. Bowers, Jr.
Chairperson

John H. Hudgens III

Pamella B. Pinson

Edward K. Pritchard, Jr.

John Samuel West

Marci Andino
Executive Director

Donna C. Royson
Deputy Executive Director
Director Election Services

Janet Reynolds
Director Administrative Services

Garry Baum
Director
Public Information & Training

Chris Whitmire
Public Information Officer

To The Manager

In this handbook you will find the information necessary for you to efficiently and effectively conduct elections in your polling place. You will find references throughout this book that deal specifically with primary, special and general elections. Unless so referenced, all information in this handbook relates to a primary, special or general election.

While you most certainly are considered to "belong" to a particular political party, you must, for the time you serve as a manager, put aside party allegiances and serve all the registered voters of the precinct in which you are working. You are there to conduct an orderly, fair and legal election. If you are working in a primary election, you must not influence anyone to vote in a particular party's primary, nor can you allow anyone else to do so.

You must take charge of the election in your precinct and truly manage the polls. You absolutely cannot allow any candidate, watcher, party official or voter to dictate any policy or action that is contrary to the requirements of the law and proper procedures.

You can, and will, I am sure, accomplish this in a firm, fair and friendly manner.

Thank you for your service to all the citizens of your county and for the excellent job we know that you will do in conducting these elections.

Sincerely,



Marci Andino
Executive Director

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Statutory References

Statutory references or citations in this booklet can be found in the manual, SC Voter Registration and Election Laws, 1998, published by the State Election Commission, as well as in the 1976 Code of Laws of South Carolina, its Cumulative supplement and the Acts of the General Assembly.

Voter Registration Lists

All voter registration lists in this poll managers handbook are public record. These lists are used for training purposes only. While the names in these lists are factual, some signatures shown in these lists are not actual signatures of these voters and are not intended to be used as actual signatures, but for demonstration only.

County Election Commissioners

At least 90 days before any general or special election for federal, state or county offices, the Governor shall appoint at least 3 and not more than 5 commissioners of election for each county upon the recommendation of the senatorial delegation and at least half of the members of the House of Representatives from the respective counties. At least one member of the commission must represent the largest political party and at least one member must represent the second largest political party as determined by the composition of that county's delegation in the General Assembly, or the makeup of the General Assembly as a whole if the county's delegation is composed of only one party's members. The commissioners continue in office until their successors are appointed and qualified (*Section 7-13-70*).

The majority of voter registration and election commissions are combined throughout the state. The number of combines board members vary depending on their local legislation (*Section 7-5-30*).

Poll Managers of Elections

General Elections

For general elections the election commissioners appoint 3 managers of election for each polling place in the county for every 500 voters registered to vote at such polling place, or portion thereof (*Section 7-13-72*). For example, if 1350 persons were registered to vote at a particular voting place, 9 managers should be appointed.

Special or Municipal Elections

For special or municipal elections, the authority charged by law with conducting the election appoint 3 managers for the first 500 electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each 500 registered voters over the first 500 (*Section 7-13-72*).

Primary Elections on the Second Tuesday in June

For primary elections held on the second Tuesday in June of each general election year, the election commission appoint 3 managers of election for each polling place in the county for the first 500 electors registered to vote at such polling place, and may appoint 3 additional managers for each additional 500 electors registered to vote there.

All Other Primaries

For all other primaries, the election commission appoint 3 managers of election for the first 500 electors registered to vote in each precinct involved in the primary election and one additional manager for each 500 electors registered to vote in the precinct above the first 500.

45 days prior to any primary, except municipal primaries, each political party holding a primary may submit a list of prospective managers to the county election commission. The commission must appoint at least one manager for each precinct from the list of names submitted by each political party holding a primary, if such list is submitted (*Section 7-13-72*).

16 & 17 Year Olds

One 16 or 17 year old assistant poll manager may be appointed for every two poll managers. These assistants must complete poll manager training. 16 and 17 year olds may not serve as chair or clerk (*Section 7-13-110*).

All Elections

- The commissioners appoint, from among the managers, a clerk for each polling place (*Section 7-13-72*).
- The county election commission must appoint the chair of the board of managers (*Section 7-13-80*).
- All managers for the various polling places in the State must be residents and registered electors of the county in which they are appointed to work, or in an adjoining county. Any person 16 or 17 years old who has completed the required training may be appointed as a poll manager's assistant. One 16 or 17 year old assistant poll manager may be appointed for every two regular poll managers appointed to work in any precinct (*Section 7-13-110*).
- A candidate or the spouse, parent, child, brother or sister of a candidate may not serve as manager or clerk of election at any polling place where the candidate's name appears on the ballot (*Section 7-13-120*).

Training

Efficiently run elections are essential to an orderly form of government. All elections must be uniform and conducted within the jurisdiction of the laws of the State. Poll manager training is an essential step. The county election commission is responsible for the training of county poll managers. The State Election Commission, in conjunction with the county election commissions, offers training to the poll managers.

Oath of Commissioners, Managers, and Clerks

After their appointment, the commissioners, managers and clerks must take and sign the following oath prescribed by Article III, Section 26 of the South Carolina Constitution:

"I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve protect and defend the Constitution of this State and of the United States. So help me God."

This oath should be filed immediately with the Clerk of Court, or if there is no clerk, then with the Secretary of State (*Section 7-13-72*).

Failure of Managers to Attend Election

If any of the managers fail to attend or if they have not been appointed, the qualified voters of the precinct who are present may appoint a manager to act in the place of the absent manager. If the duly appointed managers attend within a reasonable time, they shall act as managers (*Section 7-13-170*).

Hours of Election

In all elections, the law requires that the polls open at 7a.m. and remain open without interruption until 7p.m. on election days (*Section 7-13-60*).

Closing of the Polls

At the time of closing of the polls, the chairman of the managers shall announce that the polls are closed. Any voters who are in the process of voting, or are presently waiting to vote, shall be allowed to vote before the polls close. No one who arrives after the announcement that the polls are closed may be allowed to vote (*Section 7-13-850*).

Arrival

Managers should arrive at the polling place at least 45 minutes before the polls are scheduled to open.

Manager's Oath

Before opening the polls, the managers must take and sign the following oath:

“We do solemnly swear that we will conduct this election according to law and will allow no person to vote who is not entitled by law to vote in this election, and we will not unlawfully assist any voter to prepare his/her ballot and will not advise any voter as to how he/she should vote at this election.”
(*Section 7-13-100*)

The managers should be provided with, and should wear, proper identification badges.

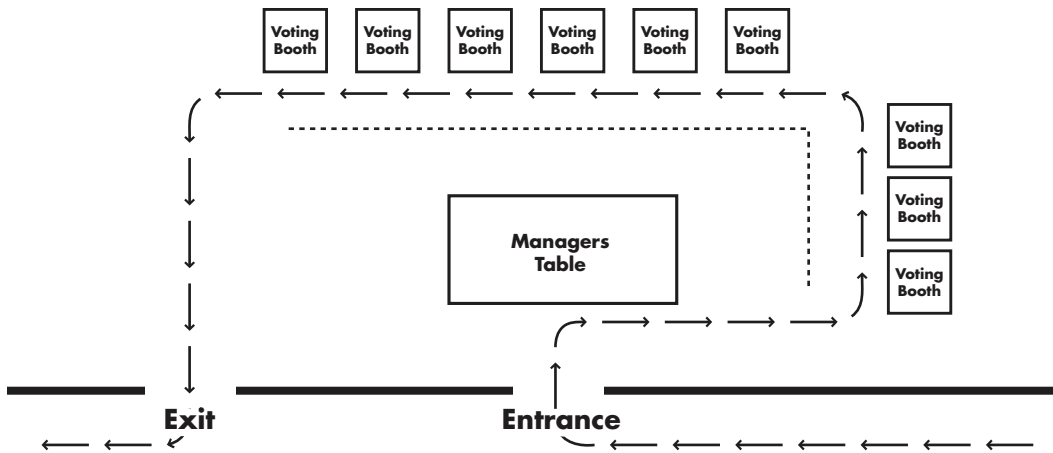
Arrangement of Polling Place

Proper polling place arrangement is essential to ensure both the secrecy of the ballot and an orderly flow of voters throughout the day. Managers should arrange their polling place in the most efficient manner possible (see Figure 1).

- The law requires that each voting place be provided with a table for the managers.
- The ballot boxes should be placed upon a table or desk and so arranged that the voter can deposit his/her ballot without crowding, confusion, or interference.
- Voting booths should be provided so that the voter can mark his/her ballot in secret.
- A guard rail shall be provided around the voting booths so that no one except authorized persons can approach nearer than five feet to the booths in which the voters are preparing their ballots.
- The guard rail can be provided through the use of chairs, rope, wood railing, or other means. The primary objectives are to avoid crowding, and interference and to preserve the secrecy of the ballot (*Section 7-13-130*).

The managers shall post sample ballots in a conspicuous area of the polling place.

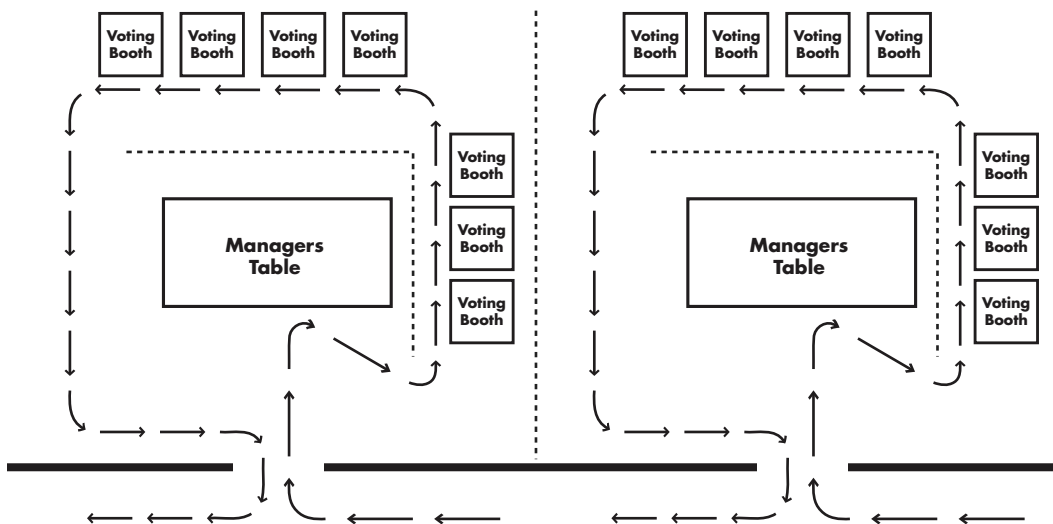
If optical scan ballots are used, a manager should be stationed outside the voting booth area to collect the ballot stubs from voters.

**Figure 1**

Arrange polling place in the most efficient manner possible.

Precincts With More Than 1500 Registered Electors

S.C. Law, Section 7-7-710, requires that all precincts be divided so that they contain no more than 1500 registered electors. Additionally, Section 7-7-730 requires that when a precinct has more than 750 registered electors, the voter registration list must be divided alphabetically so that no list contains more than 750 electors with separate managers and facilities provided within the polling place for each list. When this is done, Section 7-7-710 is deemed to be complied with regardless of the number of electors in the precinct (see Figure 2).

**Figure 2**

Divide polling place and arrange in the most efficient manner possible.

Use of Public Schools as a Polling Place

General Election Day is a public school holiday in South Carolina (*Section 59-1-370*), and the use of schools as voting places is endorsed by the State Election Commission. With proper preparation of the voting precinct, long lines of persons waiting to vote should not occur. As stated above, no more than 1500 persons may be registered to vote in any voting place. Voters in a large precinct must be divided into alphabetical groups of less than 750 and permitted to vote in separate rooms or areas to speed up the election process. Remember, separate managers must be assigned to each alphabetical group of voters.

Ballots

General Election Ballots

All ballots cast in a general election for any office are printed and distributed at public expense. The State Election Commission, at the expense of the State, handles the printing of the necessary ballots for election for President, Statewide Officers, United States Senator and Members of Congress and Statewide Constitutional Amendments and delivers such ballots to the various county commissioners of election at least 10 days prior to the date of the election (*Section 7-13-340*).

The printing and distribution of ballots in county, local and circuit elections are arranged and handled by the county election commissioners and are paid for by the respective counties (*Section 7-13-340*). Also, the ballots for the offices of State Senate and State House of Representatives are printed and distributed by the various county election commissions.

The commissioners of election must place ballots and other election materials received from the State Election Commission and ballots they are responsible for having printed in ballot boxes for distribution to the managers of election of the various precincts. The printing and distribution of ballots in all municipal elections are arranged and handled by the municipal authorities conducting such elections and are paid for by the municipalities (*Section 7-13-340*).

Primary Election Ballots

The State Election Commission and the respective county election commissions must prepare separate ballots for each political party holding a primary (*Section 7-13-610*).

All ballots cast in a primary election for any office are printed and distributed at public expense.

The commissioners of election must place ballots and other election materials received from the State Election Commission and ballots they are responsible for having printed in ballot boxes for distribution to the managers of election of the various precincts.

Number of Ballots

Paper ballots not to exceed 10% of the registered voters at the voting place must be provided (*Section 7-13-430*). See "Insufficient Ballots" in the 'General Voting Day Problems' section.

Ballot Boxes

Ballot boxes must be provided for by the county election commissioners. These boxes shall be of sufficient size to handle the volume of ballots.

Voting Booths

The law normally requires that voting booths are to be provided in the ratio of one for each 250 registered voters or a major fraction thereof in the precinct. The commissioners of election are required to furnish voting booths in primaries, special and general elections (*Section 7-13-740*).

Voter Registration List

The voter registration list used by poll managers helps determine whether or not a person is registered in a particular precinct. The voter registration list contains the names of active registered voters and voters who have been made inactive because they may have moved. Inactive voters who may have moved are identified by the letters “IM” (inactive moved) in the “MGR INIT/STAT” column on the list. “IM” status voters are entitled to vote if otherwise qualified. If an inactive voter votes in the election, managers should mark the voter registration list as usual. When the list is scanned after the election, this voter will be reinstated as an active voter.

If a voter has previously been issued an absentee ballot, the letters “ABS” will appear in the managers initials column of the list.

1. The poll manager should direct the voter to his county voter registration office.

This voter whose name is marked with an “ABS” shall not be permitted to vote in person in his resident precinct unless this voter shall furnish, to the poll manager, a certificate from the county voter registration office stating that his absentee ballot has been returned to this office unmarked. (*Section 7-15-430*)

This list is also used to give credit to those who voted. Shortly after the election is over, this list is scanned by a computerized scanning device and those voters who voted in the election are recorded in the computer.

It is **extremely important** that the poll manager fully understand and comply with the following instructions to completing the voter registration list:

- Use a Number 2 pencil or pen.
- When needed, shade **at least 75%** of the Party (no ✕, ✓, ☺ or other marks **please !**).
- Stay inside the Managers Initials box (MGR INIT/STAT) when writing.
- **Do not** fold pages.
- **Do not** write notes (such as deceased, moved, etc) on the list.

The section of the voter registration list that indicates the election districts in which a voter is eligible to vote is located to the right of the voter’s name. This section of the list allows the manager to more surely identify these election districts in order to provide the voter with the proper ballot. This area containing election districts is shown in the box below. It is vital that managers identify the voter’s election districts before issuing ballots or sending the voters to a voting machine.

General Elections

The column to the immediate right of the voter’s name (see Figure 3) and headed “MGR INIT/STAT” is used by a computerized scanner to determine if a person voted in the election. Once you determine the voter’s eligibility, this column **must** be completed to give that voter credit for voting in this election.

Poll Managers Handbook






SOUTH CAROLINA VOTER REGISTRATION LIST																			
ELECTION NUMBER: 11101		2006 CARTOON GENERAL ELECTION										CNTY CODE: 01		PREC CODE: 008		CNTY: 008		ANIMATION PAGE NO: 0001	
ELECTION DATE: 06/06/08		PRECINCT: TOON ACRES																	
NAME, ADDRESS	MGR INIT/ STAT	POLL LIST		VOTED	ELECTION DISTRICTS								REG NUMBER	DOB/ REG DATES	DO NOT WRITE IN THIS AREA				
		PAGE	LINE		CONGR	HOUSE	SENATE	CNTY CNCL	SCHOOL CNCL	CITY	WATER SHED	MISC DIST1				MISC DIST2			
1 BEAR YOGI 1589 YOSEMITE FOREST CARTOON CITY	ID			O	03	011	10	05	02	99			4006595	100165 092900					
2 BELL TINKER 1589 LANTERN WAY WALTVILLE	Rf	1	21	●	03	011	10	05	02	99			4006240	020763 072600					
3 BIRD TWEETY 1589 SYLVERSTER AVE CARTOON CITY				O	03	011	10	05	02	99			4008301	062784 092502					
4 BROWN CHARLIE 432 LUCY RD SCHULTZTON	Rf	3	113	●	03	011	10	05	06	99			4003185	072276 021197					
5 BUNNY BUGS 2142 HOLE PATH CARTOON CITY				O	03	011	04	03	02	99			0001525	091942 092967					

Figure 3 - Manager must
Initial the "MGR INIT/STAT"
column.

Primary Elections

The columns to the right of the voter's name and headed "PARTY" reflect the political parties holding primary elections and are used to indicate the political party primary in which a voter wishes to vote.

In the sample section of the voter registration list (see Figure 4), both Republican and Democratic primary elections are being held. Each square is labeled “R” (Republican) or “D” (Democratic). The appropriate circle is to be shaded in after the voter declares to the manager in which primary he/she wishes to vote. In our example, the circle in the Republican column is shaded in by the poll managers. Manager must initial in the column to the right of the voter’s name, and write the page and line number the voter signed on the poll list.






SOUTH CAROLINA VOTER REGISTRATION LIST																		
SECTION NUMBER: 11101		2006 CARTOON GENERAL ELECTION										CNTY CODE: 01		PREC CODE: 008		ANIMATION PAGE NO: 0001		
ELECTION DATE: 06/06/08		PRECINCT: TOON ACRES																
NAME, ADDRESS		MGR INIT/ STAT	POLL LIST		VOTED	ELECTION DISTRICTS										REQ NUMBER	DOB/ REG DATES	DO NOT WRITE IN THIS AREA
			PAGE	LINE		CONGR	HOUSE	SENATE	CNTY CNCL	SCHOOL	CITY CNCL	WATER SHED	MISC DIST1	MISC DIST2				
BEAR YOGI 1509 YOSEMITE FOREST CARTOON CITY		ID			O	03	011	10	05	02	99					4006595	100165 092900	
BELL TINKER 1509 LANTERN WAY WALTVILLE		RF	1	21	●	03	011	10	05	02	99					4006240	020763 072600	
BIRD TWENTY 1509 SYLVESTER AVE CARTOON CITY					O	03	011	10	05	02	99					4008301	062704 092502	
BROWN CHARLIE 432 LUCY RD SCHULTZTON		RF	3	113	●	03	011	10	05	06	99					4003185	072276 021197	
BUNNY BUGS 2142 HOLE PATH CARTOON CITY					O	03	011	04	03	02	99					0001525	091942 092967	

Figure 4 - Managers must be **extremely careful** to mark this list correctly and in the manner indicated. Manager **must** shade in the **party** column.

Run-Off Elections

If a runoff primary is held, and if a voter wishes to, and is qualified to vote in such runoff primary, the voter must sign the runoff poll list. Also, the Poll Manager must shade the circle in the runoff column, initial in the runoff column, and complete the page and line number under runoff.

NOTE: You may have a voter who did not vote in the first primary wanting to vote in the runoff primary. In this situation, the above procedure should be followed. Additionally, the poll manager must write his or her initials in the managers initials column (MGR INIT/STAT) and shade in the appropriate “PARTY” column.

Poll List

In this election, there will be a separate poll list provided for the voter to sign before receiving ballots or entering a voting booth. There is still a poll list used for curbside voters (See Curbside Voting). The signature of the voter on this list should be compared to the voter's signature on the identification presented to the poll managers. Voters should sign the poll list with an ink pen.

Voter's Oath

General & Special Elections

For general and special elections the voter's oath is printed on the voter registration list that the voter signs before voting. The oath is listed below:

"I do solemnly swear or affirm that I am qualified to vote at this election according to the Constitution of this State, and that I have not voted during this election."

Primary Elections

For primary elections the voter's oath is printed on the voter registration list that the voter signs before voting. The oath is listed below:

"I do solemnly swear or affirm that I am qualified to vote at this election according to the Constitution of this State, and that I have not voted during this election. Further, I do solemnly swear or affirm that I am duly qualified to vote at this primary election and that I have not voted before at this primary election or in any party's primary election or officially participated in the nominating convention for any vacancy for which this primary is being held" (*Section 7-13-1010*)

When the voters sign the poll list, they are automatically taking the voter's oath. The signing of the poll list, or the marking thereof by an illiterate or physically handicapped voter, acts as an affirmation of such oath by the voter. It is no longer necessary for a manager to read the oath to the voter unless the voter is illiterate or blind, but the manager should caution the voter to do so.

If the voter is unable to write, or is prevented from signing by physical handicap, he/she shall sign his/her name to the poll list by mark with the assistance of one of the

managers. A correct procedure is for the voter to make a cross mark (✕) after which the manager will write the voter's name and the phrase "his mark" in the following manner:

His
John ✕ Smith *DCR* <- Managers Initials
Mark

It is also recommended that the manager place his/her initials on this line of the poll list (*Section 7-13-710*).

Opening the Polls

At precisely 7 a.m., the chairman of the managers should announce that the polls are officially open. He/she should then proceed to unlock the ballot boxes and publicly display that they are empty. The ballot boxes should then be locked and the keys returned to the managers until the polls are closed and counting begins. Ballot boxes cannot be opened again during the election (*Section 7-13-840*).

It is suggested that the first voter verify 000 votes on each voting machine.

Qualifications To Vote

To become a registered elector in South Carolina a person must be:

- at least 18 years of age on election day,
- a United States citizen and a resident of the State, county and precinct in which he/she wishes to register to vote.

Those adjudicated mentally incompetent and persons confined to any public prison from the conviction of a crime are disqualified. There is no durational residence requirement in South Carolina in order to register to vote (*Section 7-5-120*).

A person must register in person or by mail at least 30 days prior to an election to be eligible to vote in that particular election.

Presentation of Identification

1. Upon entering the polling place, the voter must present one of the following forms of identification to the manager:
 - a valid South Carolina driver's license,
 - an identification card containing a photograph issued by the South Carolina Department of Public Safety, Division of Motor Vehicles or
 - a valid voter registration certificate (*Section 7-13-710*).
2. The manager must ask the voter if the address on the identification presented is the voter's current and correct address. This is extremely important. If the voter's current and correct address is as shown, the voter should be allowed to vote. If the voter's current address is different from what is listed on the voter registration list, see "Voter's Address on Identification Does Not Match Address on Voter Registration List" in the General Voting Day Problems section.
3. The manager must verify that the photograph on the driver's license or DMV card is that of the person offering to vote, or if a registration certificate is presented, that the description on the certificate fits the voter. They must verify that the voter's address on his/her driver's license or photo identification matches the address on the voter registration list. Additionally, the signature on the voter's identification should be checked against his/her signature on the poll list after the voter signs this list.

Remember that a person still **must** be registered in order to vote. Even though South Carolina Law no longer absolutely requires that the voter present his/her registration certificate, he/she must present either his/her registration certificate, or in lieu of that certificate, his/her South Carolina driver's license or the photo identification mentioned above.

Presentation of Identification – Additional ID May Be Required

Under the 2002 Help America Vote Act (HAVA), new voters who register to vote by mail are required to provide proof of residency prior to voting. Those who did not provide this proof of residency when registering to vote or prior to voting will be required to provide this ID at the polls prior to voting in addition to the required voting identification.

Poll workers are required to check the Managers Initials column on the voter registration list to determine if a person has provided proper identification while registering to vote. If an individual failed to submit a copy of one of the below, the letters “ID” will be printed in the “Managers Initials” column.



SOUTH CAROLINA VOTER REGISTRATION LIST																
2006 CARTOON GENERAL ELECTION																
ELECTION NUMBER: 11101			PRECINCT: TOON ACRES			CNTY CODE: 01			PREC. CODE: 008			CNTY: 008 ANIMATION PAGE NO: 0001				
NAME, ADDRESS			MGR INIT/ STAT	POLL LIST		VOTED	ELECTION DISTRICTS							REG NUMBER	DOB/ REG DATES	DO NOT WRITE IN THIS AREA
				PAGE	LINE		CONGR	HOUSE	SENATE	CNTY CNCL	SCHOOL	CITY CNCL	WATER SHED			
1	BEAR YOGI 1589 YOSEMITE FOREST CARTOON CITY		ID			O	03	011	10	05	02	99		4006595	100165 092900	
2	BELL TINKER 1589 LANTERN WAY WALTVILLE		RF	1	21	●	03	011	10	05	02	99		4006240	020763 072600	
3	BIRD TWEETY 1589 SYLVERSTER AVE CARTOON CITY					O	03	011	10	05	02	99		4008301	062784 092502	
4	BROWN CHARLIE 432 LUCY RD SCHULTZTON		RF	3	113	●	03	011	10	05	06	99		4003185	072276 021197	
5	BUNNY BUGS 2142 HOLE PATH CARTOON CITY					O	03	011	04	03	02	99		0001525	091942 092967	
6	COYOTE WILEY 1950 ACME LN CARTOON CITY					O	03	011	10	03	02	99		0003922	073015 120967	

Figure 5, Example: The letters “ID” are shown in the Managers Initials column next to the name of Yogi Bear. Prior to providing ballots to this voter, the poll manager must request and be shown one of the additional identifications listed in this section.

If the Managers Initials column contains the letters “ID” the manager must -

- Require the voter to show one of the following:
 - a current and valid photo identification

or

 - a current utility bill
 - a current bank statement
 - a current government check
 - a current paycheck
 - a current government document (voter registration card cannot be used as official government document)

NOTE: If identification other than photo identification is presented, it must show the name and address of the voter (*HAVA Section 303(b)(2)*).

- Once the proper ID has been presented, the manager may proceed by placing the manager’s initials in the Managers Initials column. These initials will

serve as verification that identification was presented by the voter. The manager does not need to retain a copy of the identification nor indicate what type of identification was presented.

- If proper ID is not presented, the manager should still place initials in the “MGR INIT/STAT” column and allow the voter to vote a provisional ballot.
3. The manager should then process the voter as usual, requiring one of the three types of identification needed in order to vote.

If the voter does not provide this additional ID

1. Offer the voter a provisional ballot.
2. Provide a Notice of Hearing on Provisional Ballots to the voter.
3. Instruct the voter to present this ID prior to the provisional ballot hearing.

Additional Status Codes

- I-M Voter moved within county or location is unknown.
- I-F Voter failed to respond to confirmation mailing.

General and Special Elections

1. Once the voter has presented his/her identification, use a ruler or straight edge to locate the voter on the voter registration list.
2. Verify the voter's qualifications and ask if the address shown on the voter registration list is the voter's current and correct address before proceeding.
3. Ask the voter to sign the poll list. Remind the voter to read the oath printed at the top of the page.
4. Record your managers' initials in the "MGR INIT/STAT" designated spaces to the right of the voter's name on the voter registration list. Then, write the page and line number the voter signed on the poll list. Also shade in the circle under the "VOTED" column.
5. Check the ELECTION DISTRICTS section located to the right of the voter's name to determine the district offices on which the voter is entitled to vote.
6. Direct the voter to the voting machine.

ELECTION NUMBER: 11101 ELECTION DATE: 06/06/06		PRECINCT: TOON ACRES		SOUTH CAROLINA 2006 CARTOON		VOTER REGISTRATION LIST PRIMARY		CITY CODE: 01		PREC. CODE: 008		ANIMATION PAGE NO: 0001					
NAME, ADDRESS	MGR INIT/ STAT	POLL LIST		PARTY	R OFF	R OFF	ELECTION DISTRICTS								REG NUMBER	DOB/ REG DATES	DO NOT WRITE IN THIS AREA
		PAGE	LINE				CONGR	HOUSE	SENATE	CNCL	SCHOOL	CNCL	DIST1	DIST2			
1 BEAR YOGI 1589 YOSEMITE FOREST CARTOON CITY	ID						03	011	10	05	02	99		4006595	100165 092900		
2 BELL TINKER 1589 LANTERN WAY WALTVILLE	RF	1	3				03	011	10	05	02	99		4006240	020763 072600		
3 BIRD TWEETY 1589 SYLVESTER AVE CARTOON CITY	RF	2	16				03	011	10	05	02	99		4008301	062784 092502		
4 BROWN CHARLIE 432 LUCY RD SCHULZTOWN							03	011	10	05	06	99		4003185	072276 021197		
5 BUNNY BUGS 2142 HOLE PATH CARTOON CITY	RF	1	6				03	011	04	03	02	99		0001525	091942 092967		

Figure 6, Example:

Charlie Brown signed on page 3, line 113 on the poll list. The manager initials the voter registration list in the manner shown and gives him a ballot for Congress 3, Senate 10, House 011 and County Council 05. The manager marks the voter registration list as shown.

- Use a Number 2 pencil
- Stay inside the Managers Initials box (MGR INIT/STAT) when writing
- **Do not** fold pages
- **Do not** write notes (such as deceased, moved, etc) on the list

Primary Elections

1. Once the voter has presented his/her identification, use a ruler or straight edge to locate the voter on the voter registration list.
2. Verify the voter's qualifications and ask if the address shown on the voter registration list is the voter's current and correct address before proceeding.
3. If more than one primary election is being held, ask the voter to declare in which political party's primary he/she wishes to vote.

IMPORTANT: Do not ask the voter “Are you a Republican or Democrat?”
Instead politely ask the voter “**In which party’s primary do you wish to vote today?**”

4. Ask the voter to sign the poll list. Remind the voter to read the oath printed at the top of the page.
5. Record the manager’s initials in the “MGR INIT/STAT” box to the right of the voter’s name on the voter registration list.
6. **Using a No. 2 pencil** shade in the appropriate party circle indicating the political party primary in which the voter has chosen to vote. Then, write the page and line number the voter signed on the poll list. Also, shade the circle under the “VOTED” column.
7. Check the “ELECTION DISTRICTS” section located to the right of the voter’s name to determine the offices on which the voter is entitled to vote.
8. Direct the voter to the voting machine.

SOUTH CAROLINA VOTER REGISTRATION LIST															2006 CARTOON GENERAL ELECTION		CNTY CODE: 01		PREC CODE: 008		PAGE NO: 0001	
NAME, ADDRESS		MGR INIT/STAT	PAGE	LINE	VOTED	ELECTION DISTRICTS								REG NUMBER	DOB/REG DATES	DO NOT WRITE IN THIS AREA						
						CONGR	HOUSE	SENATE	CNTY COUNCIL	SCHOOL BOARD	CITY COUNCIL	WATER SHED	MISC DIST	MISC DIST								
BEAR YOGI 1589 YOSEMITE FOREST	CARTOON CITY	ID			<input type="radio"/>	03	011	10	05	02	99				4006595	100165 092900						
BELL TINKER 1589 LANTERN WAY	MALTVILLE	RF	1	21	<input checked="" type="radio"/>	03	011	10	05	02	99				4006240	020763 072600						
BIRD TWEETY 1589 SYLVESTER AVE	CARTOON CITY				<input type="radio"/>	03	011	10	05	02	99				4008301	062784 092502						
BROWN CHARLIE 432 LUCY RD	SCHULTZTON	RF	3	113	<input checked="" type="radio"/>	03	011	10	05	06	99				4003105	072276 021197						
BUNNY BUGS 2142 HOLE PATH	CARTOON CITY				<input type="radio"/>	03	011	04	03	02	99				0001525	091942 092967						

- Use a Number 2 pencil
- Shade at least 75% of the party block (no ✕, ✓, ☺ or other marks **please !**)
- Stay inside the Managers Initials (“MGR INIT/STAT”) boxes when writing.
- Do not fold pages.
- Do not write notes (such as deceased, moved, etc) on the list.

Figure 7, Example: Bugs Bunny wishes to vote in the Republican primary and signs on page 1, line 6 of the poll list. The manager marks the voter registration list in the manner shown and gives him a ballot for Congress 03, Senate 04, House 011, County Council 03 and School Board 02. The Manager marks the voter registration list as shown.

Voting by Physically Handicapped and Elderly Electors

Curb-Side Voting

Any voter who, because of physical handicap or age 65 or older, cannot enter the polling place in which he/she is registered to vote, or is unable to stand in line to vote, may vote outside that polling place in the closest available parking area utilizing the vehicle in which he/she has been driven, or has driven to the polls (**Section 7-13-771**) and the National Voting Accessibility for the Elderly and Handicapped Act.

1. When the managers are informed that a handicapped or elderly voter cannot enter the polling place or cannot stand in line to vote, the voter's identification (see presentation of identification) must be presented to the managers who must locate the voter on the voter registration list for that precinct and verify that he/she is eligible to vote.
2. Upon verification of the voter's eligibility, 2 managers must take the curb-side poll list and the voting terminal to the eligible voter. The ballot should be taken in a secure container.

NOTE: It is recommended that the managers label a poll list "CURB-SIDE" at the beginning of the day. This poll list can be used whenever curb-side voting is utilized without interrupting the processing of voters inside the polling place.

Any poll watchers who are present must be notified and may, at their discretion, accompany the managers as observers.

No person other than the voter is permitted in the vehicle in which the voter is casting his/her ballot unless the voter is entitled to assistance in voting (see Assistance to Voters).

IMPORTANT: Managers must remember to mark the voter registration list "Curbside" for all voters who vote a curbside ballot. Simply write "Curbside" next to the voter's name on the voter's registration list.

Challenge by the Managers (Provisional Ballots)

The law provides that if the managers are reasonably sure that the person presenting him/herself is entitled to vote, they shall deliver to him/her a ballot
(*Section 7-13-730*).

The law also provides that the managers of election shall prevent any person from voting when they have good reason to believe that such person has already voted. (For example, ABS is shown next to the voter's name.) It provides also that they shall refuse to allow any person to vote who is not a registered voter or who has become disqualified for any cause to vote in the precinct. It is the duty of managers to challenge the vote of any person who may be known or suspected not to be a qualified voter
(*Section 7-13-810*).

If the managers have good reason to believe that the voter has already voted, or if they believe that he/she has become disqualified to vote, they should challenge his/her vote in the following manner.

1. The managers should explain to the voter the qualifications of a voter. These qualifications are set forth in Sections 7-5-120 and 7-5-220, the 26th Amendment of the United States Constitution, and decision of the United States Supreme Court in **Dunn v. Blumstein** (March 21, 1972), as follows:
 - must be at least 18 years of age,
 - must be a citizen of the United States, a resident of South Carolina, the county, and the voting precinct at which he/she offers to vote,
 - must neither be now under court order declaring him mentally incompetent nor confined in a public prison - persons on parole or probation for non-disqualifying crimes should be permitted to vote,
 - must not have been convicted of a felony or crimes against the election laws, unless he/she shall have served his/her complete sentence, including any probation or parole time, or have been pardoned for such offenses,
 - must have been duly registered by the board of registration and his/her registration must be dated at least 30 days prior to the election.
2. The managers may question the voter as to these qualifications. If the person whose vote is challenged insists that he/she is qualified, and the challenge is not withdrawn, his/her vote shall then be received and placed in an envelope on which shall be written the name of the voter, and that of the challenger. If voting at the voting place is being done upon a voting machine, the manager shall provide a paper ballot if the vote is challenged, and it shall be placed in an envelope. Special provisional ballot envelopes will be furnished each precinct by the State Election Commission (see Figure 8). The challenged votes shall be kept separate and apart and not counted but turned over to the commissioners of election (*Section 7-13-830*).

PRECINCT NAME:			
REGISTRATION NUMBER		BIRTHDATE: Month Day Year	
NAME OF VOTER (as registered)			
Last	First	Middle Initial	
ADDRESS AS REGISTERED			
Street	City	SC Zip	
<input type="checkbox"/> FAILSAFE <input type="checkbox"/> PROVISIONAL – List reason for challenge here: _____ _____ _____			
NAME OF CHALLENGER			
Last	First	MI	Certificate #
ADDRESS OF CHALLENGER			
Street	City	SC Zip	Phone #
Complete Change of Address Section Below REQUIRED IF FAILSAFE			
VOTER'S NEW ADDRESS			
Street	City	SC Zip	
VOTER'S NEW MAIL ADDRESS (if different from above)			
Street	City	SC Zip	
VOTER'S PHONE			
Home	Work	Social Security Number	
I swear (or affirm) that the address shown thereon is my sole legal residence and I claim no other as my legal residence.			
<input type="checkbox"/> I hereby authorize the county board of voter registration to make the above changes. <input type="checkbox"/> I hereby request the county board of registration to mail me a DUPLICATE voter registration certificate.			
Signature of Voter _____			

Provisional Ballot Envelope

Figure 8 - Provisional ballots should be placed in the envelope provided.

- The managers should inform both the challenged voter and the challenger of the time and place that the hearing on provisional ballots will be held. The State Election Commission will provide **notices of the provisional ballot hearing** which should be filled out and given to each challenged voter and challenger at the time the challenge is issued. Unless the challenger is present at the hearing, produces witnesses in support of the challenge, or provides evidence in writing to support the challenge prior to the hearing, the provisional ballot will be counted. The challenger should make every effort to be in attendance at the hearing. Nothing prohibits the county election commission from continuing any challenge administratively as long as it has evidence to sustain the challenge (**Section 7-13-830**).

Any manager who challenges a person's vote should be present at the hearing to insure that the challenge is sustained and to make certain that the vote, if ruled invalid, is not counted.

NOTE: All challenges must be made before the time a voter deposits a paper ballot in a ballot box or casts his vote in a voting machine, and no challenge may be considered after that time.

In the case of absentee ballots, challenges shall be made prior to the processing of the absentee ballot envelopes. However, nothing shall affect the right of any elector or qualified watcher to challenge the absentee vote of any person which is fraudulent or when the challenge is based on evidence discovered after the vote is cast. (**Section 7-13-810**).

Watchers

Each candidate in a primary election, or a non-partisan or announced write-in candidate in a general election, may appoint one watcher at a time for any voting

place where this candidate's name is on the ballot. However, in any general or special election, all candidates of the same political party shall be jointly represented at any one polling place by not more than 2 watchers for each 1,000 registered voters or fraction thereof registered at such polling place.

Every watcher must:

- be a qualified voter in the county where he/she is to watch.
- be certified to the managers of the voting precinct to which assigned. This certification must be in writing and signed by the candidate or by an appropriate party official as having been designated as a watcher.
- at all times wear a badge not to exceed 4 $\frac{1}{4}$ " x 4 $\frac{1}{4}$ ", specifying the name of the candidate or party he/she represents. This badge must contain letters no larger than $\frac{1}{4}$ inch in height or width and must not be a color that has florescent quality.
- conduct himself in a manner that will not interfere with the orderly conduct of the election (*Section 7-13-860*).

The managers have authority to require that the watchers station themselves in such places as the managers designate. Watchers must be placed where they can observe the entire election procedure, but managers should not permit the activity of the watchers to interfere with the orderly conduct of the election or to permit the watcher to talk with the voter. Except as allowed by law, watchers may not approach within five feet of any voting booth. Watchers must conduct themselves in an orderly manner. Watchers who are disorderly or unruly may be removed from the polling place (*Sections 7-13-140, 7-13-860, 7-13-130*).

The voter registration list is a matter of public record. Poll watchers should be allowed to look at the list, under supervision of the poll managers, as long as it does not interfere or disrupt the orderly voting process.

To be more knowledgeable about election day procedures, poll watchers may want to attend poll manager training conducted by the county election commission. Special poll watcher training may also be available.

Challenges by Watchers and Electors

1. If the watcher desires to challenge a voter, he/she must address himself to a manager, and not to the voter.
2. The manager should then follow the procedure outlined in the preceding section entitled "Challenge by the Managers" (*Section 7-13-810*). He/she should explain the qualifications of an elector and examine the person as to such qualifications.
3. If the challenger specifies the grounds of his/her challenge, such as, commission of a crime, or failure to reside in the precinct, the managers need only explain the appropriate qualifications to the challenged person and examine him as to these.

4. If the challenged person insists that he/she is qualified and the challenge is not withdrawn, the vote should be received, placed in the special challenge envelope on which is written the name of the voter, the name of the precinct, the name of the challenger and the reason for challenge; and the challenged vote is then kept separate and apart and not counted, following the procedure outlined above (*Section 7-13-830*).

NOTE: It should be noted that any qualified elector has the right to challenge a person's vote the same as a watcher. The challenge must be directed to the voter through a manager (*Section 7-13-810*).

Observers

Since elections are public functions, individuals representing organizations or themselves may observe the election process. These observers may stay inside the polling place if they do not talk to voters or interfere with the election process. Because of a polling place size, observers may be limited in number. Observers, as with anyone inside the polling place, may not display any type of campaign literature including a badge or item of clothing. Observers must conduct themselves in an orderly manner. Observers who are disorderly or unruly may be removed from the polling place (*Section 7-13-140*).

Assistance to Voters

Generally, no one except a voter preparing his/her ballot is allowed within the guard rail or the voting booth. However, there are certain voters who qualify under the law to have another person in the voting booth with them. These are the voters who need assistance, or help, from another person to cast their ballot (*Section 7-13-780*).

Section 208 of the 1965 Voting Rights Act, as amended, states:

"Any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union."

Once a voter has informed the managers that he/she needs assistance, or help, to cast his/her ballot the poll managers should determine that the voter is entitled to assistance.

The State Election Commission recommends that assistance situations be handled in the following manner:

1. The voter requests assistance or help. **Caution: Do not** assume that anyone needs assistance, or "volunteer" anyone for assistance or allow anyone else to do so.
2. A poll manger says to the voter: "*The law provides that any voter who is blind, disabled, or unable to read or write is entitled to assistance in voting. Do you request assistance for one of these reasons?*"
3. If the voter's answer is yes, the poll manager then says: "*You may choose anyone that you wish to assist you in casting your ballot except for your employer, an agent*

of your employer, an officer of your union, or an agent of your union if you are a union member”

4. After the voter has selected an assistant, the poll managers should make certain that the person chosen is not the voter's employer, agent of that employer, or officer or agent of the voter's union.
5. The voter and his/her chosen assistant enter the voting booth to cast the voter's ballot.
6. After the voter's ballot has been prepared, the person chosen by the voter to assist him must immediately leave the vicinity of the guard rail.

Under the Voting Rights Act, voters who are entitled to receive assistance in voting may obtain that assistance from nearly any person they choose. This includes friends, candidates, poll watchers, poll managers, voters waiting in line, relatives, non-relatives, pre-teenagers and anyone else who is not the voter's employer, an agent of that employer, or an officer or agent of the voter's union. The assistor does not have to have any particular attributes that would “qualify” him or her. A voter may choose a person who has already assisted other voters, or a person who is too young to vote, or a person who is not registered to vote in South Carolina or any other state.

Under normal circumstances a poll manager would accompany the voter into the voting booth only if chosen as the voter's assistant. However, if the managers have credible evidence or good reason to suspect that there is any scheme to defraud voters who are entitled to assistance, a poll manager may be appointed to accompany the voter and the voter's assistant into the voting booth as an observer. An example of this may be if a non poll manager is frequently asked to assist. This manager cannot mark the ballot, or take any part in assisting the voter; he/she is there only as an observer to ensure that the ballot is marked in strict accordance with the voter's wishes. If the manager, acting as an observer, sees that the person chosen by the voter is not marking the ballot as the voter wishes, or is otherwise acting improperly, he/she should challenge the ballot.

The fact that a voter has signed his/her name on his/her voter registration card and signs the poll list before being given a ballot would normally indicate that such person is literate and possesses sufficient comprehension to vote in an election; however, it is entirely possible that a voter may have learned to write his/her name mechanically and still be unable to read and write in the generally accepted sense. Such voters are entitled to assistance in voting.

If a voter has signed his/her registration certificate and the poll list, yet insists that he/she is unable to read and write and requests assistance in marking his/her ballot, if the managers have reason to believe or suspect that the voter can read and write, they should permit him/her to vote with assistance, but challenge the vote following the procedure for challenging votes as set out in this handbook.

Husband and Wife Voting Together

It is illegal for husbands and wives who are capable of voting separately to enter the voting booth together for the purpose of voting.

The State Supreme Court has ruled that Section 7-13-750 of the **1976 South Carolina Code of Laws**, which allowed husbands and wives to enter the voting booth together for the purpose of voting is unconstitutional. See: **Governor James B. Edwards vs. Sol Abrams**, Opinion No. 20578, January 10, 1978.

Voter Without Identification

If a person presents himself at the polls without a valid South Carolina driver's license, a photo identification issued by the South Carolina Department of Public Safety, Division of Motor Vehicles or a valid registration certificate, **he/she should not be allowed to vote.**

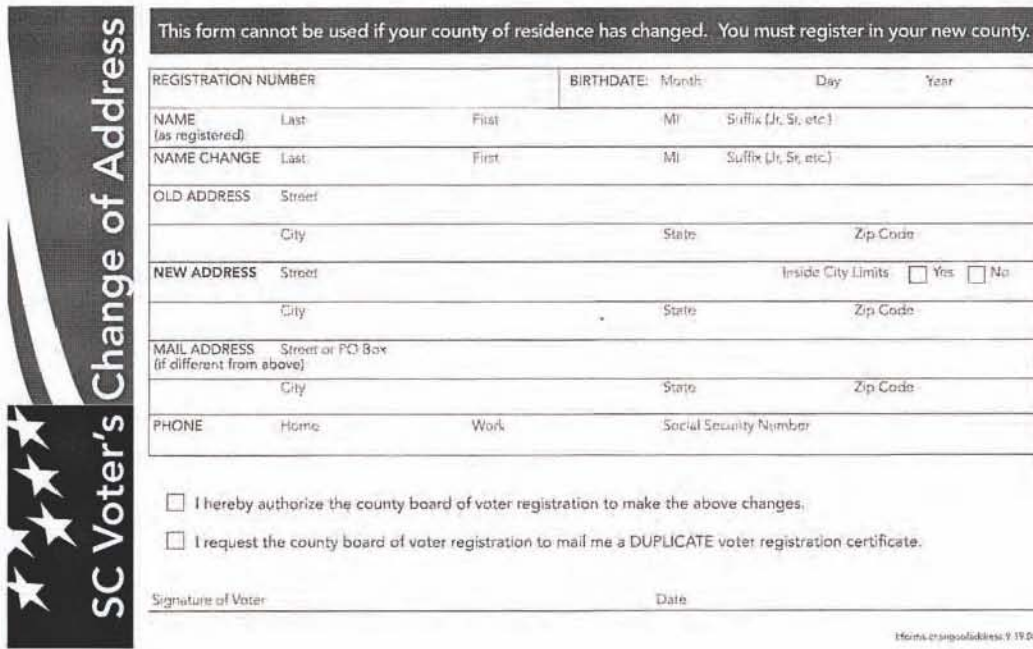
If the voter does not have a driver's license or DMV photo identification and states that his/her certificate has been lost or stolen, he/she should be advised that his/her county board of voter registration is open all day on election day and that he/she may go there and obtain a duplicate certificate. He/she will then be allowed to vote (*Sections 7-5-110 and 7-13-710*).

Voter Address Discrepancy

When a voter presents his/her South Carolina driver's license or photo identification card issued by the South Carolina Department of Public Safety, Division of Motor Vehicles instead of his/her voter registration certificate, the manager should locate that voter's name on the voter registration list to make sure that they are the same.

- If the addresses are the same, the voter should be asked if the address is correct before being allowed to cast a ballot.
- If the addresses are different, the manager should check the date that the driver's license or identification was issued and the voter's registration date as listed on the voter registration list.
- If the registration date is the most current of the two dates, the manager should ask the voter if the address shown on the voter registration list is his/her correct address, and if it is, the voter should be allowed to cast his/her ballot.
- If the date of issue on the voter's driver's license or identification card is more current than the registration date on the voter registration list, the manager should ask the voter if the address shown on the driver's license or identification card is his/her correct address. If this is the correct address, the manager should determine whether this new address is in the same precinct where the voter is currently registered. If the address is in the same precinct where the voter is registered, the voter or manager should complete a VOTER'S CHANGE OF ADDRESS form. If the manager completes this form, the voter must sign the form. The voter may then cast his/her ballot. The manager should make certain that the voter will receive the correct ballot for any district offices for which he/she is entitled to vote (Senate, House, county council, etc.).

The change of address form (see Figure 9) will provide the county voter registration office with the necessary information to update the voter's new address.



This form cannot be used if your county of residence has changed. You must register in your new county.

REGISTRATION NUMBER		BIRTHDATE: Month Day Year		
NAME (as registered)	Last	First	MI	Suffix (Jr, Sr, etc.)
NAME CHANGE	Last	First	MI	Suffix (Jr, Sr, etc.)
OLD ADDRESS	Street			
	City		State	Zip Code
NEW ADDRESS	Street			Inside City Limits <input type="checkbox"/> Yes <input type="checkbox"/> No
	City		State	Zip Code
MAIL ADDRESS (if different from above)	Street or PO Box			
	City		State	Zip Code
PHONE	Home	Work	Social Security Number	

☐ I hereby authorize the county board of voter registration to make the above changes.

☐ I request the county board of voter registration to mail me a DUPLICATE voter registration certificate.

Signature of Voter _____ Date _____

Forms changed address 9/19/05

Figure 9 - Each voter whose address has changed should complete a Change of Address form.

Ballot Found in Wrong Box

As previously stated, separate boxes are required for different races (*Section 7-13-840*). If a ballot is placed in the wrong box, the law provides that such ballots may be counted if in counting the ballots for that office, the number of ballots does not exceed the number of names on the poll list. If the number of names on the poll list is exceeded by counting all of the ballots, then none of the ballots for the office found in the incorrect box shall be counted.

The principal objective is to have the exact number of ballots for an office corresponding to the number of names on the poll list. The ballots and the names on the poll list may not be the same in number, for the reason that some voters may not vote a particular ballot, but in no event must the number of ballots exceed the number of names on the poll list (*Section 7-13-1130*).

Fail Safe Voting: Voters Who Have Moved to Another Precinct

Certain aspects of the National Voter Registration Act of 1993 ("Motor Voter") dramatically affect the voting process and the procedures that managers follow in processing voters. The Act provides that any registered voter who moves to a different precinct **within the same county** must be allowed to vote, even though he/she has not previously notified the county board of voter registration of the move. A voter who moves to **another county in South Carolina within 30 days of an election** may also vote. This provision is referred to as "Fail-safe Voting".

When a voter moves to another precinct within the same county:

1. Managers should ask each voter if the address shown on the voter registration certificate is current and correct. **Remember** that managers can require additional identification to verify an address if there is doubt.

2. If it is determined that the voter has moved to a different precinct within the same county, the manager should direct the voter to his/her original/old precinct. At this original/old precinct, a manager **MUST** complete the **CHANGE OF ADDRESS SECTION** shown on the Provisional Ballot Envelope (See Figure 8), and have it signed by the voter.
3. The voter will then be allowed to vote a special fail-safe ballot for federal, statewide, countywide, and municipalwide offices.

This ballot must then be placed in a provisional ballot envelope with “Fail Safe” marked on the envelope. The voter’s **change of address section must** be completed. The county board of voter registration will use this information to re-register the voter in his/her correct precinct before the next election.

or

The voter may go to the county board of voter registration office on election day, re-register to be in his/her new precinct, and vote, at the voter registration office, a full ballot for all offices in which he/she is entitled to vote.

When a voter moves from one county to another county within S.C. within 30 days of an election:

A voter who moves from one county to another county within South Carolina within 30 days of an election may vote a fail safe ballot at his/her polling place in his/her previous county **or** the voter may register to vote at his/her new county voter registration office and vote a full ballot at the voter registration office (*Section 7-5-440*).

Number of Fail Safe Ballots

There must be provided for each voting place a number of fail safe ballots, or ballots containing only the races for federal, statewide, countywide, and municipalwide offices, not to exceed 5% of the registered voters at the voting place (*Section 7-13-430 (C)*).

Voter’s Identity in Doubt

If, after examining the voter’s driver’s license or other identification and the voter’s signature, there is any doubt as to the identity of the voter, the poll managers may require such other identification of the voter and proof of his/her right to vote as they deem necessary (*Section 7-13-710*).

Instruction After Voter Has Entered Booth

If a voter asks for instruction after entering the voting booth, he/she shall be instructed by 2 of the managers. Upon the completion of their instruction, the managers immediately leave the voting area and allow the voter to cast his/her ballot in secrecy (*Section 7-13-1830*).

Ballots Folded Together

If 2 or more ballots are found folded together compactly, only one of such ballots shall be counted. The others so folded together shall be destroyed, but if these ballots

bear different names, all of them shall be destroyed and none of them counted. This means, for example, that if 2 ballots are found folded together compactly, and one is cast for Cathy Cleary and the other is cast for Darla Williams, both of these ballots shall be destroyed. On the other hand, if each of the ballots so folded together is cast for Darla Williams, then only one of such ballots shall be counted; the other shall be destroyed (*Section 7-13-1130*).

Insufficient Ballots

In each polling place where voting machines are used, there must be provided emergency/provisional ballots not to exceed 10% of the registered voters at the polling place.

When a sufficient number of official ballots are not available for all electors present at the polling place to vote, the managers of election shall, without undue delay, provide ballots made as nearly as possible in the form of the official ballot to those electors for whom official ballots are unavailable. These ballots shall be considered the same as official ballots.

NOTE: Call the election commission immediately to receive instructions on replacement of ballots.

A manager of election who fails to comply with the provisions of this law with regard to providing such ballots is guilty of a misdemeanor and, upon conviction, must be fined not more than \$500 (*Sections 7-13-430*).

More Votes Cast than Voters Signed On Poll List

If more ballots are found in the ballot box or if the number of votes tabulated on voting machines in any polling place exceeds the number of voters listed on the poll list, the vote total for each candidate or issue shall be reduced by that fraction of the excess vote cast that his/her vote bears to the total number of votes cast in the polling place. Fractional parts of single votes shall be disregarded.

For example, the ballot box contains 108 votes, but only 100 signed the poll list. Candidate A received 20 votes. The managers should determine what percentage 20 votes is of 108 (this is 18%). They should then take 18% of the excess vote (8 votes) and subtract this from candidate A's total vote. 18% of 8 votes is 1.4 votes, and disregarding the fractional vote, candidate A would receive 19 votes. This procedure should be followed with all candidates in the race.

If the number of votes cast exceeds the number of names signed in on the list by 10% or more, the county election commission or other authority conducting election, shall order a new primary or election at the polling place concerned if the outcome of the election could be affected. Only those who signed the poll list shall be permitted to vote in any such new primary or election (*Section 7-13-1140*).

Death or Withdrawal of a Candidate After Name Printed on Ballot

If a candidate dies, withdraws, or becomes disqualified after his/her name has been printed on the ballot, another person may be nominated to fill the vacancy, but it is not necessary that his/her name be printed on the ballot. The name of the candidate so nominated must be certified by the party committee to the appropriate authority. In such cases, a vote which is cast by the voter for the name of the candidate printed

on the ballot but who has died, withdrawn, or otherwise become disqualified, shall be counted as a vote for the candidate subsequently nominated. Therefore, if Ron Smith has been printed as a candidate for sheriff, but dies before the election and Steven Dutton is nominated by the party to replace him, then a vote cast for Ron Smith will be counted as a vote for Steven Dutton (*Section 7-13-370*).

Defaced or Spoiled Ballots

If a voter defaces or spoils his/her ballot, he/she may obtain one additional ballot upon returning the defaced or spoiled ballot to the managers with the stub attached. Unless the ballot with the stub attached is returned, the voter may not be given a second ballot.

When a ballot is given by the managers to replace a spoiled one, the manager in charge of the voter registration list shall:

1. write the number of the new ballot on the poll list beside the voter's name,
2. write "spoiled" across the face of the spoiled ballot and place it in a file (*Section 7-13-790*).
3. write "spoiled" on the poll list on the next available line (*Section 7-13-790*).

In figure 10 below, a voter was given a ballot with the stub number 2 attached to it. The voter spoiled that ballot and returned it with the stub attached. He/she was then given an additional ballot, stub number 4. The number was then written on the poll list where number 2 was previously placed.

All defaced or spoiled ballots must be accounted for and turned over to the commissioners of election by the managers following the election.

NAMES OF VOTERS			
1	Vogi Burt	26	
2	James Bell	27	
3	Wesley Bird	28	
4	SPOILED	29	
5	Elmer Fuchs	30	

Figure 10

Name Not Found On Voter Registration List

When any person offers to vote and presents a valid registration certificate, a valid South Carolina driver's license, or photo identification card issued by the South Carolina Department of Public Safety, Division of Motor Vehicles and his/her name does not appear on the voter registration list, the managers shall use one of the following procedures:

1. One of the managers shall call the County Board of Voter Registration from any phone at, or away from, the polling place. The manager shall give the registration board the name of the voter as it appears on the identification presented by the voter. To help this process, the voter may also provide his certificate number or Social Security Number. The registration board shall check its records, and if the person is found to be eligible to vote in that precinct, the **date of birth** of the person will be read to the manager who

will ask the person for such date. Upon answering correctly, the person shall be permitted to vote.

When a manager is to make a call for this purpose he/she must notify the poll watchers present. They may, if they wish, accompany the manager to the phone and have the information repeated to each of them.

In the event that the telephone call to the registration board is a long distance call, it may be made collect and the registration board must accept the call.

NOTE: If you must use this method, you should ask the voter to accompany you to the telephone.

2. If the name cannot be verified by the registration board, or if a phone is not available, the managers shall permit the person to vote a provisional ballot. One of the managers will be listed as the challenger (*Section 7-13-820*).

Managers who challenge a voter solely because his/her name cannot be found on the voter registration list do not have to attend the hearing on provisional ballots following the election. The county election commission will automatically verify the voter's eligibility with the county registration board when the voter is challenged because his/her name cannot be found on the voter registration list.

3. If the voter's name is left off the voter registration list and he/she presents, in addition to his/her registration certificate or other permissible identification, written certification from the registration board that he/she is properly registered, the managers shall allow him to vote (*Section 7-5-440*).

If a manager has to call the registration board to verify a voter's eligibility, if the voter votes a challenged ballot or if the voter presents written certification of his/her eligibility, the manager must fill in the information from the voter's identification in the appropriate spaces on the last page of the voter registration list and properly mark the list, as instructed earlier, before permitting the person to vote.

Primary Elections - Voter Can Only Vote in One Party's Primary

South Carolina law requires that to vote in a primary election, the voter must choose one political party in which to cast his/her ballot. By voting in a party's primary, the voter is selecting representatives to run in the general election for that political party (*Section 7-13-1010*) (See "Voter's Oath").

NOTE: In a presidential election year, if presidential primaries are held by the political parties, a voter will still be allowed to vote in either party's primary election in June regardless of which presidential primary the voter voted. The presidential primary is considered separate from the June primary.

Primary Run-Off Elections

When a candidate does not receive a majority of the votes in the first primary, a run-off must be held 2 weeks later. A voter is entitled to vote in this run-off election under 2 conditions:

- If a voter voted in a particular party's primary, this voter may vote **only** in that same party's run-off election.
- If a voter did not vote in either party's primary, this voter may vote in either party's run-off election.

EXAMPLE: If a voter votes in the Republican primary, this voter may also vote in the Republican run-off election; however, this voter may not vote in the Democratic run-off election. If there is no Republican run-off election, this voter may *still* not vote in the Democratic run-off election (*Sections 7-13-50, 7-13-1040, 7-17-610*).

Distributing and Displaying Campaign Literature at Polls

It is unlawful for any person, on election day, to distribute any type of campaign literature or place any political posters within 200 feet of any entrance used by the voters to enter a polling place. It is the duty of poll managers to keep this prohibited area clear of political literature and displays. County and municipal law enforcement officers shall, upon the request of the poll managers, remove or cause to be removed any material distributed or displayed within 200 feet of any such entrance (*Section 7-25-180 (a)*).

Candidates

It is permissible for a candidate to be stationed outside the polling place but within the above stated 200 feet area, greet voters and solicit votes, provided there are no complaints by voters to the managers regarding this activity, or as long as in the managers judgment there is no disruption of the orderly election process. Candidates may not display or distribute campaign literature within this 200 foot area.

A candidate may wear a badge no larger than 4 ¼" x 4 ¼" within 200 feet of the entrance to the polling place. This label may contain the candidate's name and office sought. **The candidate may enter the polling place but this badge must be removed before entering** (*Section 7-25-180 (b)*).

A candidate may greet voters in line or out of the polling place as long as he/she is not intimidating voters or interfering with the orderly election process. The managers should use their own judgment regarding this matter.

Candidate's Representatives

It is permissible for the representative(s) of a candidate to be stationed outside the polling place but within the above stated 200 feet area, greet voters and solicit votes, provided there are no complaints by voters to the managers regarding this activity, or as long as in the managers judgment there is no disruption of the orderly election process.

Representatives of candidates may not wear any type of badge within this 200 foot area. Representatives of candidates may not display or distribute campaign literature within this 200 foot area.

The voter registration list and poll list are a matter of public record. Poll watchers, candidates and candidate's representatives should be allowed to look at the list, under supervision of the poll managers, as long as it does not interfere or disrupt the orderly voting process.

Power of Managers

The managers of election have such police power as necessary to carry out the provisions of the election laws. They have full authority to maintain good order at the polls and to require obedience to their commands during the election and during the counting of the ballots. All peace officers are required to answer such calls for help in preserving peace as may be made by the managers of election (*Section 7-13-140*).

For example, if a poll watcher is disorderly or unruly, a police officer may be requested to remove that poll watcher.

Police Officers

Peace officers in the execution of such requests may call upon bystanders to assist them and such bystanders are required to render such assistance. See Section 7-13-150, which now gives authority to all peace officers to request assistance and is not limited to a sheriff or deputy sheriff.

Unless called within the polls by a majority of the managers for assistance, no sheriff, deputy, policeman, or other officer is allowed to come within the polling place. This should not be construed so as to prevent a police officer from entering the polling place for the purpose of casting his/her ballot (*Section 7-13-160*). Once he/she has voted, however, the peace officer should leave the polling place.

Crossover Voting

In General And Special Elections only, crossover voting is allowed. Because of the legal decision rendered in the case of Smith vs. Hendrix by Circuit Judge Timmerman, the Attorney General of South Carolina rendered a legal opinion on September 3, 1976, that a crossover vote should be counted when a voter votes a straight party ticket for one party and crosses over and votes in a particular race or races for a candidate or candidates of an opposition party on the ballot.

Number of Machines

The law requires that the governing body of any county or municipality using voting machines shall provide for each polling place at least one voting machine for each 250 registered voters or portion thereof, or as near thereto as may be practicable (*Section 7-13-1680*). Thus, if a polling place has 700 registered voters, 3 machines should be provided.

Number of Ballots

Paper ballots for public office must also be provided to each voting precinct. These shall be the number of ballots not to exceed 10% of the number of electors registered there (*Section 7-13-430*). These paper ballots are to be used in the event that the voting machines in the precinct become inoperative or when a voter's ballot is challenged.

Use of Machines

Instructions shall be posted in the polling place and the arrangement of candidate's names properly placed in the machines. The machine closing seal shall be delivered to the managers in a sealed envelope on which shall be written the number of the voting machine, the number of the seal and the number registered on the protective counter device.

The envelope containing this seal must not be opened until all of the managers of the election for the precinct are present and can examine the envelope to see that it has not been opened.

Placement of Machines

The voting machine shall be placed at least 3 feet from every wall or partition at the polling place and at least 5 feet from any table at which any of the election managers or clerks may be engaged or seated.

The machine shall be placed so that the ballots on the face of the machine can be plainly seen by the managers when not in use by the voters.

The managers shall not themselves be, or permit any other person to be, in any position or near any position that will permit him to see how any voter votes or has voted (*Section 7-13-1780*).

Inspection of Machines

After each voter has cast his/her vote, one of the managers shall inspect the machine to see that the ballots on the face of the machine are in proper places and that the machine has not been damaged.

An illustration or a mechanically operated model of a portion of the face of the voting machine is required to be in each voting place. Voters desiring it shall be instructed regarding the operation of the machine by demonstration of the illustration or the model and shall be given an opportunity personally to operate the model (*Sections 7-13-1810 and 7-13-1640(9)*).

Time for Voter to Remain in Machine Booth

No voter shall remain in a voting machine longer than 3 minutes; and if he/she shall refuse to leave it after a lapse of 3 minutes, he/she may be removed by the managers (*Section 7-13-1820*).

Instructions After the Voter has Entered the Machine Booth

After a voter has entered a voting machine booth and shall ask for further instructions concerning the manner of voting, 2 of the managers shall give instructions to him. But no election official shall in any manner request or seek to persuade or induce any voter to vote in any particular manner. After giving instructions, the managers shall, before the voter has voted, retire and such voter shall cast his/her ballot in secret (*Section 7-13-1830*).

Write-in Ballots Where Machines Are Used

For general and special elections: Ballots voted for any person whose name does not appear on the machine as a nominated candidate for office are referred to as "write-in" ballots. A write-in ballot must be cast in its appropriate place on the machine or it shall be void and not counted (*Section 7-13-1850*).

Procedure When Machine Will Not Operate

If a machine becomes inoperative in whole or in part, the managers shall notify the commissioners of election and, if possible, a substitute machine shall replace the broken machine. If a substitute machine is used, at the closing of the polls, the record of both machines shall be taken and the votes shown on their counters shall be added together. If no other machine is available for use at the election, and the broken machine cannot be repaired, the paper ballots furnished as already referred to (not to exceed 10% of registered voters of the precinct) may be used and received as other ballots. If the 10% supply of ballots is exhausted, then unofficial ballots may be used.

EXAMPLE: If printed ballots are not available, or have been exhausted, then the voter may prepare his/her ballot on pieces of paper furnished by the managers and such papers will be considered as ballots and counted as such (*Section 7-13-1870*) (See "Insufficient Ballots"). Poll managers should make these ballots look similar to other ballots by including precinct name, election date, name of election, place for poll manager's initials and candidates/questions.

Counter Does Not Register 000

Before opening the polls, each manager shall examine the machines and see that no vote has been cast and that the public counter registers zero (000). If the counter does not register zero, please take the following steps:

- call the county election commission and report the problem immediately
- **do not** use the voting machine, use provisional ballots instead.
- make written statement designating letter and number of such counter, together with the number registered thereon, sign and post such statement upon the wall of the voting place where it shall remain during the day of the

election, and in making the statement of canvass, subtract such number from the number of registered ballots thereon (*Section 7-13-1770*).

Locking of Machines After Election

The machine seal to the voting machine shall be enclosed in a sealed envelope having endorsed thereon a certificate of the managers, stating the number of the machine, the voting precinct, the number on the seal and number on the protective counter, and shall be returned by one of the managers of election to the commissioners or other electoral board from whom the envelope was received. After the managers seal the machines, they must remain sealed for a period of 30 days, or as much longer as necessary or advisable should a contest develop, or except as may be necessary to prepare the machines for another election. An exception is that the machines may be opened and all data examined upon the order of a court of competent jurisdiction (*Section 7-13-1890*).

Canvass and Return of Vote Where Machines Used

After the polls have closed and all voters waiting in line have voted, the managers must immediately close the machines. No further voting is allowed. The managers shall canvass and announce the results as shown on the printed copy of the votes tallied. The vote that is registered is then written on a statement of canvass, duly certified and sworn to, and returned as other election returns (*Section 7-13-1880*).

Observers After the Polls Close

After the polls close, the public, including poll watchers, shall be allowed to remain in the polling place to observe the canvassing process.

The managers must make sure that the ballot labels remain in the correct order. They must also check the recorder regularly to see that it has not been damaged.

If the voter's identification (see Presentation of Identification) is in order, his/her name appears on the voter registration list, the address on his/her identification is the same as the address on the voter registration list and the signature on his/her identification matches his/her signature on the poll list, the manager initials the ballot stubs in the provided space and gives the ballots to the voter. The voter is then allowed to proceed to the voting booth.

After the voter has marked his/her ballots, he/she must fold them so as to leave the stubs attached and visible. The voter then returns the ballots to the appropriate manager so that the manager may detach the stubs and retain them (*Section 7-13-730*). We suggest that the manager place these stubs on a separate stylus for each type of ballot.

The manager shall then give the voter his/her ballots to be deposited in the proper ballot boxes.

CAUTION: It is important that the stub is still attached to the ballot when it is returned to the manager. Only managers are authorized to detach stubs. If the stub is detached when the ballot is returned to the managers, grounds for challenge exist.

Time Allowed in the Voting Booth

No voter can occupy a voting booth for a longer time than 5 minutes whether or not the voter is receiving assistance. After having voted, declined or failed to vote within 5 minutes, the voter shall immediately withdraw from the voting place and shall not enter the polling place again during the election (*Section 7-13-760*).

Number of Booths

The law requires that the governing body of any county or municipality using vote recorders shall provide for each polling place at least one voting machine for each 250 registered voters in the precinct (*Section 7-13-740*).

Write-In Votes

In general and special elections, the voter may write-in the name of any person he/she chooses for a particular office except for President and Vice President; this includes a candidate who was defeated for the same office in the primary election of a political party.

In casting a write-in ballot, the voter must cast it in his/her own handwriting or in the handwriting of a duly authorized assistant who is aiding the voter in casting his/her ballot (*Section 7-13-800*).

NOTE: Write-in votes are not allowed in primary elections.

Accounting For Ballots After Election

When the canvassing and counting of the votes is completed, the chair of the managers or one of them to be designated in writing by the managers, shall deliver to the commissioners of election the voter registration list, the boxes containing the ballots, and a written return of the results of the election in the precinct. The managers are responsible for all ballots furnished them (*Section 7-13-1150*).

At the close of the election, the managers shall account to the commissioners of election for all ballots delivered to them and mark the following returns:

- the number of ballots furnished,
- the number of spoiled ballots returned by voters,
- the number of unused ballots to be returned to the election commissioners,
- the number of ballots actually voted.

The commissioners of election shall keep in possession all unused ballots, as well as those that have been spoiled, until the time for contesting the election has expired. Any ballot that has been lost must be accounted for by a certificate from the chairman of the managers of the particular precinct covering the circumstances (*Section 7-13-850*).

In addition to the above, the managers of election, at the close of the election, must turn over the envelopes containing provisional (challenged) ballots to the election commissioners. **Managers do not include challenged ballots in their tally.** The sealed envelopes containing these ballots must not be opened by the managers.

At their first meeting thereafter, the commissioners shall hear all objections to such votes. If the challenger appears, or produces witnesses or evidence in support of the challenge, the commissioners shall proceed to hear and determine the question. If the challenger or witnesses or evidence do not appear to sustain a challenge made at the polls, the ballot shall be removed from the envelope and mingled with the regular ballots and counted. Their decision shall be final (*Section 7-13-820*).

Counting of Ballots: Posting Results

The managers of each precinct must post a copy of the results of the election in that precinct in a conspicuous site at the polling place (*Section 7-13-1110*).

Counting of Ballots: Volunteer Personnel

At the close of the election, the managers and clerk shall immediately proceed to publicly open the ballot boxes and count the ballots. The managers are authorized to use additional volunteer personnel in counting the ballots. A volunteer counter cannot be a candidate or a watcher for a candidate for an office to be voted on in the election, and they must take the following oath prior to assuming their duties:

“I do solemnly swear or affirm that I am not a candidate or a watcher in this election, am a qualified elector of this county, that I will count the ballots entrusted to my care in a fair and impartial manner, and make to the best of my ability a correct tabulation of the results.”

The managers are required to make a list of such volunteer counters and turn such list in with other election material to the commissioners of election.

It is emphasized that the counting of the ballots must be done in public. The Constitution of the State and the statutes of the State require this. While the public has a right to be present when the ballots are being counted, no one can unduly

interfere with or impede the process of counting the ballots. The managers should permit full observation of the counting, but they should maintain absolute control of the entire proceeding to insure that the ballots are properly counted and accounted for.

The counting must continue without interruption until it is completed.

After the counting is completed, the managers shall sign such statements of the results of the election as may be required (*Section 7-13-1110*).

NOTE: In a general election, only a plurality of votes polled is required to elect. 1969 Op.Atty.Gen.2766.

Ballots Improperly Marked

If it is impossible to tell how the voter intended to vote in a particular race, the ballot should not be counted for that race, but may be counted when the voter's choice can be determined for any other race in the election (*Section 7-13-1120*).

The determination of a voter's choice is sometimes a difficult, if not impossible, task. A check mark or a cross mark may be placed near a square so as to make the task of determining how the voter intended to vote extremely difficult. There is no hard and fast rule to meet the various aspects of the problem. The board of managers is required to exercise its best judgment as to how the voter intended to cast his/her ballot.

It is important that ballots in such cases be preserved so that the commissioners of election or the courts, if necessary, can survey the problem on appeal.

NOTE: In past years the "Full-Slate Law" was in effect in South Carolina. This is no longer true. In 1972 the General Assembly repealed the full-slate requirements. A voter need not vote for as many candidates as positions to be filled in order to have his/her vote counted.

If a voter marks more names than there are persons to be elected or nominated to an office, this section of the ballot shall not be counted. The sections of the ballot that are properly marked shall be counted.

Any qualified elector in any of the categories below may receive absentee ballots by submitting an official absentee ballot application form to the county board of voter registration in his/her county of residence.

The absentee ballot application form may be requested from the county registration board by the voter himself, a member of his/her immediate family, or by the authorized representative of voter.

As used in absentee voting, the term "immediate family" means a person's spouse, parents, children, brothers, sisters, grandparents, grandchildren, and mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in law.

An authorized representative is a registered elector who, with the voter's permission, acts on behalf of a voter unable to go to the polls because of illness, disability or physical handicap.

NOTE: A candidate or member of a candidate's paid campaign staff, including volunteers reimbursed for time expended on campaign activity, may not request absentee ballot applications for any person unless such person is a member of their immediate family.

This application may be submitted anytime during the calendar year in which the election in which the qualified elector wishes to vote by absentee ballot is being held. Completed applications must be returned to the county voter registration board, in person or by mail, not later than 5:00 p.m., 4 days before the election. However, any elector applying in person may make such application until 5:00 p.m. on the day before the election.

A member of the immediate family of an elector who is admitted to a hospital as an emergency patient on the day of an election, or within a 4-day period before the election, may obtain an absentee ballot application from the registration board, complete the application, receive the ballot and deliver it personally to the patient. Once the patient has voted the ballot this immediate family member shall personally carry the ballot back to the board of registration.

The registration board must keep a record book in which must be recorded the number of the absentee ballot application form, the name, home address, the absentee mailing address of the person for whom the absentee ballot application is requested; the name, address, voter registration number, and the relationship of the person requesting the form, if other than the applicant; the date when the form is requested and the date when the form is issued. Additionally, the registration board must enter in this record book the date that absentee ballots are mailed to the voter and the date the ballots are returned.

This information becomes public record at 9:00 a.m. on the day before the election, except the information regarding emergency hospital patients becomes a public record by 9:00 a.m. on the day after the election (**Sections 7-15-330, 7-15-370 and 7-15-385**).

Persons Eligible for Absentee Ballots

The following persons are eligible to receive absentee ballots: (*Section 7-15-320 and 2002 Help America Vote Act*)

1. A member of the Uniformed Services on Active Duty
2. A member of the Merchant Marine
3. A spouse or dependent of a member of the Uniformed Services or Merchant Marine
4. A U.S. Citizen temporarily residing outside of the United States due to employment, serving with the American Red Cross, USO, Peace Corps, etc.
5. A U.S. Citizen permanently residing outside of the United States
6. Physical Disability
7. Student, their spouse or dependents residing with them who are outside their county of residence
8. For reasons of employment will not be able to vote on Election Day
9. Government employee, their spouse or dependents residing with them, who are outside their county of residence on Election Day
10. Person on vacation who will be outside their county of residence on Election Day
11. Serving as a juror in a state or federal court on Election Day
12. Admitted to the hospital as emergency patient on the day of election or within a four-day period before the election
13. Death or funeral in the family within a three-day period before the election
14. Confined to a jail or pre-trial facility pending disposition of arrest or trial
15. Attending a sick or physically disabled person
16. Certified poll watcher, poll manager, county registration board or election commission member or staff working on Election Day
17. Persons 65 years of age or older

Absentee Voting Precincts

The office of the county board of voter registration shall be the location of the absentee voting precinct. The county election commission shall be responsible for tabulating and reporting the results of ballots cast in the absentee voting precinct (Section 7-15-410).

No absentee ballot shall be counted which is received by the registration board after the time for closing of the polls. Absentee ballots are subject to the same challenges as other votes (*Section 7-15-4200*).

Voters may return their absentee ballots to the absentee precinct by mail, by personal delivery or by authorizing another person to return the ballot for him. Such authorization must be in writing, on a form prescribed by the State Election Commission and must be turned over to the board of registration at the time the ballot is returned. The authorization must be preserved as part of the record of the election and the board of registration shall note the authorization and the name of the authorized returnee in the record book required by section 7-15-330.

NOTE: A candidate or a member of a candidate's paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not permitted to serve as an authorized returnee for any voter unless he/she is a member of the voter's immediate family (*Section 7-15-385*).

Prior to sending the voter registration lists to the various precincts, the registration boards shall mark such lists for every voter who has been sent an absentee ballot. No voter who has been issued an absentee ballot may vote in person in their precinct on Election Day unless they furnish to the managers a statement from the county registration board that their absentee ballot has been returned to the absentee precinct unmarked.

If the absentee ballots are issued after the voter registration lists are turned over to the county election commission, the registration board shall notify the county election commission so that the registration lists may be marked that the voter has been issued an absentee ballot (*Section 7-15-430*).

NOTES

SOUTH CAROLINA
2006 CARTOON

VOTER REGISTRATION LIST
PRIMARY

Digitized by South Carolina State Library

Primary Poll List Sample

POLL LIST

REPUBLICAN PRIMARY ELECTION OF _____

Precinct Name _____ Precinct Code _____ County _____

Voters Oath - Please read: I do solemnly swear or affirm that I am qualified to vote at this election according to the Constitution of this State and that I have not voted during this election; further, I do solemnly swear or affirm that I am duly qualified to vote at this primary election and that I have not voted before at this primary election or in any other party's primary election or officially participated in the nominating convention for any vacancy for which this primary is being held.

NAMES OF VOTERS

1		26	
2		27	
3		28	
4		29	
5		30	
6		31	
7		32	
8		33	
9		34	
10		35	
11		36	
12		37	
13		38	
14		39	
15		40	
16		41	
17		42	
18		43	
19		44	
20		45	
21		46	
22		47	
23		48	
24		49	
25		50	

Page No. _____

General Election Sample

[illegible]

General Poll List Sample

POLL LIST

GENERAL ELECTION OF _____
(Date)

Precinct Name _____ Precinct Code _____ County _____

Voters Oath - Please read: I do solemnly swear or affirm that I am qualified to vote at this election according to the Constitution of this State and that I have not voted during this election.

NAMES OF VOTERS

1		26	
2		27	
3		28	
4		29	
5		30	
6		31	
7		32	
8		33	
9		34	
10		35	
11		36	
12		37	
13		38	
14		39	
15		40	
16		41	
17		42	
18		43	
19		44	
20		45	
21		46	
22		47	
23		48	
24		49	
25		50	

Page No.

Troubleshooting for commonly occurring issues and questions is found at the back of the handbook. The text is ‘upside down’ so that it can be accessed directly from the back cover of the Poll Manager’s handbook.

Simply close the handbook and open it from the back cover to find quick reference answers to common issues.

Voter Wishes to Vote in More Than One Political Party Primary

South Carolina law requires that to vote in a primary election, the voter must choose only one political party in which to cast his/her ballot. By voting in a party's primary, the voter is selecting party nominees for that political party to run in the general election (*Sections 7-13-1010*).

NOTE: Voting in a primary does not have any affect of voting in a general election.

Husband and Wife Wish to Vote Together

Husband and wives who are capable of voting separately may not vote together in the same voting booth.

Voter Requests Instruction After Entering Voting Booth

If a voter asks for instruction AFTER entering the voting booth, he/she may be instructed by TWO of the managers. After giving instruction, the managers should immediately leave the voting area and allow the voter to cast the ballot in secrecy (*Section 7-13-1830*).

Voter Wishes to Take Sample Ballot Into Voting Booth

There is no prohibition against a voter taking a sample ballot into the voting booth. Managers should check the voting booths on a regular basis to ensure that no sample ballots have been left behind that might possibly influence voters as to how to vote.

Voter Returns Absentee Ballot to Polling Place

Poll managers cannot, under any circumstances, accept absentee ballots at the polling place. If voters bring absentee ballots, voted or un-voted, to your polling place, direct them to deliver their absentee ballot to the absentee ballot precinct in your county and follow the instructions given them at the absentee ballot precinct (*Section 7-15-430*).

- c. If the new address is in the same precinct where the voter is registered, have this voter complete a Change of Address form.
- d. You may allow this voter to cast his/her ballot after making certain that the voter will receive the correct ballot for any district offices for which he/she is entitled to vote (House, Senate, County Council, etc.....).
- e. If the address is in a different precinct, but within the county, the voter is entitled to vote using the Fail Safe procedure. See "Fail Safe Voting" in this handbook (*Section 7-5-440*).

IMPORTANT: Whenever the address on the voter's driver's license or photo identification is different than the address shown on the voter registration list and the date of issue on the driver's license or identification is more current than the voter registration date, record all the required information on the Voter's Change of Address form provided for your use and have the voter sign the form.

If the voter informs you that his/her address has been changed by the postal authorities (but the voter has not actually moved), you should record all the required information on the Voter's Change of Address form provided for your use and have the voter sign the form.

This Change of Address form will provide the county voter registration office with the necessary information about the voter's change of address and also serve as a request to transfer the voter to his new precinct.

- Before permitting the person to vote, you must fill in the information from the driver's license or other permissible form of identification on the last page of the voter registration list.
- 2. If the name cannot be verified by the voter registration office, or if a phone is not available, you shall permit the voter to vote a provisional (challenged) ballot. One of the managers shall be listed as the challenger.
- 3. In addition to the procedures stated above, if you cannot contact the voter registration office by phone, and the voter does not wish to vote a challenged ballot, the voter may go in person to the voter registration office and get a written certificate that he/she is qualified to vote in that precinct. Upon his return with this certification, he shall be permitted to vote a regular, unchallenged ballot.

IMPORTANT: If you use procedure 1, 2 or 3 you must enter all information from the voter's driver's license or other permissible form of identification in the appropriate columns on the last page of the voter registration list (*Section 7-13-820*).

Voter Address Discrepancy

The manager must ask the voter if the address on the identification presented is the voter's correct address.

If any voter presents to you his South Carolina driver's license or a photo identification issued by the South Carolina Department of Public Safety instead of his/her voter registration certificate, you should locate the voter's name on the voter registration list and compare the address listed on the voter registration list to make sure that they are the same and correct.

If the addresses are the same and correct:

1. Allow the voter cast his ballot.

If the addresses are different:

1. Check the date that the driver's license or identification was issued and the registration date as listed on the voter registration list.
2. If the voter registration date is the most current of the two dates, ask the voter if the address shown on the voter registration list is his correct address and if it is, let the voter cast his ballot.
3. If the date of issue on the driver's license or photo identification is more current than the voter registration list:
 - a. Ask the voter if the address shown on the driver's license or photo identification is his correct address.
 - b. If it is, determine whether this new address is in the same precinct where the voter is registered. (You may have to use maps, if provided, or call the voter registration office in order to make this determination.)

- instruct the voter to present this ID prior to the provisional ballot hearing (*2002 Help America Vote Act*)

Voter Does Not Have Identification

When a voter presents himself/herself at the polls he must produce one of the following forms of identification in order to vote:

1. a valid South Carolina Driver's License,
2. an identification card containing a photograph issued by the South Carolina Department of Public Safety, or
3. a valid voter registration certificate.

If a voter presents himself at the polls without one of these forms of identification listed above, he is **not** allowed to vote.

Certificate Lost or Stolen

If the voter does not have a driver's license or permissible photo identification and informs you that his certificate has been lost or stolen, advise him/her that the county voter registration office is open all day on election day, and he should go there and obtain a duplicate voter registration certificate. He/she will be allowed to vote after obtaining the duplicate certificate (*Section 7-13-710*).

Voter Name Cannot Be Found On Voter Registration List

If any voter presents a valid South Carolina driver's license, a photo identification issued by the South Carolina Department of Public Safety, or valid voter registration certificate, but you cannot find his name on the voter registration list, you should:

1. Take the voter to the nearest available telephone and phone your county voter registration office.
 - Notify all poll watchers present that you are making this phone call. They are allowed to accompany you to the phone and to have the information repeated to each of them by the Registration Board.
 - If the call is a long distance call, it may be made collect, and the voter registration office will accept the call.
 - Give the voter registration office only the name of the voter as it appears on the driver's license or other permissible form of identification.
 - The office will check its records, and if the voter's name is found and he/she is eligible to vote in the precinct, you will be given the voter's date of birth.
 - Ask the voter to give you his date of birth. If he can give you the correct birth date, you may allow him to vote.

“ID” Printed in Voter’s “Managers Initials” Column Requires Presentation of Identification

Under the 2002 Help America Vote Act (HAVA), new voters who register to vote by mail are required to provide proof of residency prior to voting. Those who did not provide this proof of residency when registering to vote or prior to voting will be required to provide this ID at the polls PRIOR to voting IN ADDITION TO the required voting identification.

Poll workers are required to check the Managers Initials column on the voter registration list to determine if a person has provided proper identification while registering to vote. If an individual failed to submit a copy of one of the below, the letters ID will be printed in the “Managers Initials” column.

Managers Initials Column Contains the Letters “ID”

1. The manager must require the voter to show one of the following:
 - a current and valid photo identification

or

 - a current utility bill
 - a current bank statement
 - a current government check
 - a current paycheck
 - a current government document (voter registration card cannot be used as official government document)

NOTE: If identification other than photo identification is presented, it must show the name and address of the voter (*HAVA Section 303(b)(2)*).

2. Once the proper ID has been presented, the manager may proceed by placing the manager’s initials in the Managers Initials column. These initials will serve as verification that identification was presented by the voter. The manager does not need to retain a copy of the identification nor indicate what type of identification was presented.
3. The manager should then process the voter as usual, requiring one of the three types of identification needed in order to vote.

Voter Does Not Provide Additional ID

If the voter insists on voting, the poll manager will need to:

- offer the voter a provisional ballot
- provide a “**Notice of Hearing on Challenged Ballots**” to the voter

Insufficient Number of Ballots

If you find that a sufficient number of official ballots are not available for all voters present at the polling place to vote, you must:

1. Take immediate steps to provide sufficient ballots made as nearly as possible in the form of the official ballot.

NOTE: You may take the ballot (s) that you are running out of to a copy machine and photocopy a sufficient number. Remember to renumber these ballots consecutively before issuing them to voter.

2. Notify your county election commission of your action (*Section 7-13-430*).

IMPORTANT: Managers must remember to mark the voter registration list for all voters who vote by curbside (*Section 7-13-771*).

Challenges

A voter may be challenged by:

- a manager
- a poll watcher
- another voter

NOTE: All challenges must be made through the poll managers.

If a voter is challenged:

1. Explain the grounds of challenge to the voter
2. If the voter insists that he is qualified to vote and the challenge is not withdrawn:
 - allow the voter to vote an emergency/provisional ballot
 - detach the stub from ballot
 - place the voted ballot in a provisional (challenged) ballot envelope and seal it
 - fill in all the required information on the provisional envelope
 - voter places provisional ballot envelope in a ballot box provided for provisional ballots
 - at the end of the day provisional ballots are not counted by managers, but are turned over to your county election commission in the sealed envelopes. Your election commission will determine the validity of the challenge at hearing.

IMPORTANT: Managers must inform both the challenger and the challenged voter of the time and place that the challenged ballot hearing will be held. Managers must provide, to the challenger and the challenged voter, the Notice of Hearing on Provisional Ballots. Unless the challenger is present at the hearing, produces witnesses in support of the challenge, or provide evidence in support of the challenge prior to the hearing, the challenged ballot will be counted. The challenger should make every effort to be in attendance at the hearing.

Nothing prohibits the county election commission from continuing any challenge administratively as long as it has evidence to sustain the challenge (*Section 7-13-810 & 7-13-830*).

3. The voter will then be allowed to vote a special Fail-safe ballot for federal, statewide, and countywide offices and questions. This ballot must then be placed in the provisional ballot envelope. Make a check mark in the box beside the word “Fail Safe” on the envelope.

NOTE: It is recommended to obtain the voter’s registration certificate at this time, explaining that a new certificate will be mailed to the voter at a later date.

Option B – Voter casts ballot at the county voter registration office.

The voter, at his/her discretion, may go to the county voter registration office **on Election Day**, re-register in his/her new precinct, and vote a ballot for all offices.

Voter Moves to Another County in SC Within 30 Days of an Election

Any registered voter who moves to another county in South Carolina within 30 days of an election may:

- vote a Fail Safe ballot at the voter’s old polling place in his/her prior county where the voter is registered, or
- register at the voter’s new county voter registration office and vote a full ballot (*Section 7-5-440*).

Curb-side Voting

South Carolina law provides that any voter who, because of physical handicap or age (65 or older), cannot enter the polling place or stand in line to vote may vote outside the polling place in the vehicle in which he/she has been driven, or has driven, to the polls.

When you are informed that a handicapped or elderly voter wishes to vote “curb-side”, you should:

- Examine the voter’s identification that must be presented to you.
- Locate the voter on the voter registration list and verify that he is eligible to vote.

Upon verification, two managers must:

- Notify any poll watchers present who may, at their discretion, accompany the managers as observers.
- Take the “curb-side” poll list and the voting terminal to the voter in his vehicle outside the polling place.

No person other than the voter is permitted in the vehicle in which the vote is casting his/her ballot **unless** the voter is entitled to assistance (see “Assistance To Voters” in this handbook).

Poll Watchers Wish to Observe

Each candidate in a general election may appoint one watcher for each polling place where his name is on the ballot. However, in any general election, all candidates of the same political party shall be jointly represented at any one polling place by not more than two watchers for each 1,000 registered voters in the precinct. Poll watchers must:

1. be registered electors of the county in which they are to watch.
2. present written certification, signed by the candidate or appropriate party official, to the managers of the polling place where they are assigned to watch.
3. wear a badge no larger than "4 ½ x 4 ½" with letters no larger than "¼" and on paper that is not fluorescent.

If the watcher meets the standards listed above, poll managers must:

1. provide an area within the polling place where watchers can observe the election throughout the day.
2. Watchers must be able to observe the entire election process from this area.

Watchers cannot talk to voters or do anything that would interfere with the orderly conduct of the election. Watchers are permitted to question the managers as to procedures in the polling place or the qualifications of voter. Watchers are permitted to challenge voters through the managers (*Section 7-13-860*).

Fail Safe Voting**Voter Moves Within the Same County**

Any registered voter who moves to a different precinct **WITHIN THE SAME COUNTY** must be allowed to vote even though the voter has not previously notified the county voter registration office of the move. This provision is referred to as "Fail Safe Voting".

To determine if a voter qualifies for a Fail-Safe ballot, the poll manager must:

Option A – Voter casts a Fail Safe ballot at the voter's old polling place.

1. Ask each voter if the address shown on the voter registration certificate is current and correct. Remember that you can require additional identification to verify an address if there is doubt.
2. If it is determined that the voter has moved to a different precinct **WITHIN THE SAME COUNTY**, regardless of when the move was made, the voter may vote a Fail-Safe ballot at the voter's old polling place. A manager or the voter **MUST** complete the **CHANGE OF ADDRESS** information on the provisional ballot envelope. Then, have the voter sign the envelope.

IMPORTANT: A manager or the voter must complete the Change of Address information on the provisional ballot envelope, then the voter must sign the envelope before being issued a ballot.

- Except for the four categories listed above, voters may choose anyone they wish as an assistant.
- Additionally, there is no limit on the number of times that a person may serve as an assistant for voters.
- The key is that the assistant must be selected by the voter.
- Managers may not “volunteer” anyone for assistance or allow anyone else to do so.
- If the voter who is entitled to assistance chooses his or her spouse to give assistance, the spouse cannot vote at the same time that they are giving assistance. Spouses must vote separately (*Section 208, 1965 Voting Rights Act as amended. Section 7-19-780*).

Candidates and Watchers At the Polls

Candidates Wish to Observe

Candidates should be permitted to observe the election process in the various polling places where their names are on the ballot, and may greet voters waiting in line to vote as long as they do not intimidate the voters or interfere with the orderly conduct of the election.

Candidates or Watchers Wish to View the Voter Registration List

The voter registration list is a matter of public record. Poll watchers, candidates and those working on a candidate's behalf should be allowed to look at the list, under supervision of the poll managers, as long as it does not interfere or disrupt the orderly voting process.

Campaign Material Distributed or Displayed At Polls

It is illegal to distribute any type of campaign literature or display any political posters within 200 feet of any entrance used by voters to enter the polling place. If campaign material is being distributed or displayed within 200 feet of any entrance used by voters on election day:

1. Notify the person(s) concerned that they are in violation of South Carolina Law and ask that they remove the material.
2. If they refuse, contact your county election commission.
3. Law enforcement officers may be summoned to remove the material (*Section 7-25-180*).

Primary Election Question to Voters

If a voter approaches you without saying which political party's primary he/she wishes to vote, then you should greet the voter and ask:

"In which political party's primary do you wish to vote today?"

Voter Assistance

Qualified electors who are blind, disabled or unable to read or write may receive assistance (or help) from another person in casting their ballot. In any assistance situation, follow these steps:

1. A voter asks for assistance or help in voting. DO NOT assume that a voter needs assistance. Do not "volunteer" any voter for assistance nor allow anyone to do so.

NOTE: If a person comes to the qualifying table with a voter and states that he/she is there to assist the voter, while this should be an indication to you that the voter may be entitled to assistance, you must still perform steps 2 through 5.

2. Repeat the following question to the voter:

"The law provides that any voter who is blind, disabled, or unable to read or write is entitled to assistance (help) in voting. Do you request assistance for one of these reasons?"

3. If the voter's answer is yes, then say:

"You may choose anyone that you wish to assist you in casting your ballot except for your employer, an agent of your employer, an officer of your union, or an agent of your union if you are a union member."

4. After the voter has selected an assistant, ask the assistant:

"Are you the voter's employer, agent of the employer, or officer or agent of the voter's union?"

5. If the assistant says no, then the voter and the assistant enter the voting booth to cast the voter's ballot.

After the voter's ballot has been cast, the voter and the assistant must immediately leave the area of the voting booth.

Who May Give Assistance

- The person chosen to assist the voter does not have to be a registered voter of the precinct.
- The assistant may be a friend, a candidate, a poll watcher, a poll manager, a relative or a person waiting in line to vote.

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